

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Barbara Hildebrandt,	:	
Plaintiff,	:	Case No. C-1-02-0003
vs.	:	
Hyatt Corporation, <u>et al.</u> ,	:	
Defendants	:	

PLAINTIFF'S SUPPLEMENTAL PROPOSED INSTRUCTION TO THE JURY

Plaintiff respectfully requests the Court to give the following standard jury instruction.

Corporations

A corporation may act only through natural persons as its agents or employees. In general, agents or employees of a corporation may bind the corporation by their acts and declarations made while acting within the scope of their authority delegated to them by the corporation, or within the scope of their duties as employees of the corporation

Authority

3 Fed. Jury Prac. & Instr. § 108.01 (5<sup>th</sup> Ed.). *Ritchie Grocer Co. v. Aetna Cas. & Sur. Co.*, 426 F.2d 499, 500 (8<sup>th</sup> Cir. 1970); 3 OJI 302.09, §3.

Respectfully submitted,

s/Robert A. Steinberg  
Stanley M. Chesley (0000852)  
Robert A. Steinberg (0032932)  
(Trial Attorney)  
**WAITE, SCHNEIDER, BAYLESS**  
**& CHESLEY CO., L.P.A.**  
1513 Fourth and Vine Tower  
Cincinnati, OH 45202  
513-621-0267  
bobsteinberg@wsbclaw.cc

and

Michael J. O'Hara (0014966)  
**O'HARA, RUBERG, TAYLOR, SLOAN**  
**& SERGENT**  
209 Thomas More Park, Suite C  
P.O. Box 17411  
Covington, Kentucky 41017-0411  
(606) 331-2000  
mohara@ortlaw.com

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice was served by electronic filing via the CM/ECF System to Theresa M. Gallion, Esq. and Nadine Abrahams, Esq. this 5th day of August, 2004.

s/Robert A. Steinberg  
Robert A. Steinberg